



THE INSANITY DEFENSE AND YOU: ARE YOU READY?



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“LET’S GO CRAZY” -



- Case Study: *State v. Curley*
- Scott Curley- In His Own Words
- Nap time (& Law)
- Dr. Pitt: The Interview
- Dr. Sullivan: The Data
- Dr. Pitt: The Report
- Dr. Sullivan: Is S(he) Faking It?
- Visions Of Insanity
- Cross-fire: Opposing Points Of View



STATE v. SCOTT CURLEY





Fredonia, AZ



**Brian Harris murdered
August 26th, 2010**

STEP 1: STEALS ASSAULT RIFLE FOR “MISSION”



STEP 2: ASSAULTS SCHOOL CUSTODIAN



STEP 3: ENGAGES THE POLICE



STEP 4: AMBUSHES/MURDERS BRIAN HARRIS



STEP 5: ELUDES MANHUNT FOR DAYS



SCOTT CURLEY'S VERSION OF HIS ACTIONS



“BUT JUDGE, HE’S CRAZY!”

13-502. Insanity test; burden of proof; guilty except insane verdict

A. A person may be found guilty except insane if at the time of the commission of the criminal act the person was afflicted with a mental disease or defect of such severity that the person did not know the criminal act was wrong. A mental disease or defect constituting legal insanity is an affirmative defense.

C. The defendant shall prove the defendant's legal insanity by clear and convincing evidence.

ANALYSIS BEGINS (NOT ENDS) W/ MENTAL ILLNESS!

INSANE IN THE BRAIN

CLARK v. ARIZONA, 548 U.S. 735 (2006)

- **US Supremes Saying Things Only They Understand**
- **Observation**
- **Mental-disease**
- **Capacity**



Who you tryin' to get crazy with, ese?



“I THINK MY SPACESHIP KNOWS WHICH WAY TO GO...”

--DAVID BOWIE, SPACE ODDITY



***STATE v. WRIGHT*, 214 Ariz. 540 (App. 2007)**

- **The Case Of The Low-IQ Car Thief**
- **Observation evidence DOES have boundaries!**
- **It's all about behavior...**

***STATE v. BUOT*, 232 Ariz. 432 (App. 2013)**

- **Dr. Potts: Intermittent Explosive Disorder**
- **Court: No**
- **Potts could only testify about behavior he observed**
- **Impulsivity doesn't prove insanity or rebut intent (2nd °)**



“THERE’S SOMEONE IN MY HEAD BUT ITS NOT ME” - PINK FLOYD, BRAIN DAMAGE

State v. Tamplin, 195 Ariz. 246 (App. 1999)

- “Wrong” by community standard, not defendant’s

State v. Berndt, 138 Ariz. 41 (1983)

- Not insane if he knows others consider it a crime

And if the cloud bursts, thunder in your
ear

You shout and no one seems to hear
And if the band you're in starts playing
different tunes
I'll see you on the dark side on the moon

A graphic of a triangular prism, the iconic symbol for Pink Floyd's album 'The Dark Side of the Moon'. The prism is shown with a rainbow spectrum of light emerging from its right side, transitioning from red at the top to violet at the bottom. The prism itself is a light blue/white color.